

	Page 265	Page 267
1	professor, correct?	1 I lost my train of thought. Go ahead.
2	A. No. That's where the confusion is. I	2 What was your question?
3	didn't -- we didn't talk about that, about	3 Q. I'm just asking you -- well, I think you
4	finding a new major professor. It was if	4 answered it. How do you know who could or
5	there was any way that he could be my major	5 who could not, which professors could or
6	professor, and it was no there.	6 could not have served in the role of
7	Q. All right. Let's go back to each and every	7 helping you -- serving as your major
8	step you took. You said you went to	8 professor so that you could ultimately be a
9	Dr. Dillon on December 8th. You said you	9 parasitologist?
10	went to Dr. Hendrix around the same time?	10 A. I'm not sure.
11	A. Yes.	11 Q. Did you ask Dr. Blagburn for help in
12	Q. Tell me what else you did. And Dr. Hendrix	12 locating another major professor?
13	was just you asking him if he would serve	13 A. No.
14	as your major professor, correct?	14 Q. Why did you not do that?
15	A. Right.	15 A. Because I didn't need a new major
16	Q. And you did not follow up and ask him,	16 professor. I was kicked out of the
17	would you help me locate or identify	17 department and out of my program.
18	another major professor, correct?	18 Q. But Chris, can't you agree that that's kind
19	A. I don't remember talking to him about other	19 of contradictory to your actions here?
20	major professors.	20 You're asking everybody else if they would
21	Q. So the answer is no?	21 serve as your major professor, or a couple
22	A. That's my answer, right.	22 other people, and now you're telling me
23	Q. Okay. Tell me what other steps you took to	23 that you didn't need a major professor.
	Page 266	Page 268
1	locate another major professor.	1 A. It is confusing. I just wanted to try to
2	A. Those are my -- the steps I took. The	2 see if Dr. Janicki was being honest by
3	possible major professors who study my	3 saying if I could locate one that I could
4	study -- or are involved in my kind of	4 stay in the department -- or stay in my
5	research would be a parasitologist like	5 program.
6	Dr. Blagburn or Dr. Hendrix or Dr. Dillon.	6 Q. Well, you were never able to --
7	Q. What was Dr. Dillon?	7 Did you say department?
8	A. He is a feline heart worm expert, clinical	8 A. I said program.
9	sciences.	9 Q. You were never able to locate one,
10	Q. What is his department?	10 correct --
11	A. Clinical sciences.	11 A. That's correct.
12	Q. So he's not in the department of	12 Q. -- based on the actions you took, so you
13	pathobiology?	13 don't know if that was correct or not, do
14	A. That's correct.	14 you?
15	Q. He's not housed there?	15 A. What?
16	A. Correct.	16 Q. If you would have been able to locate
17	Q. All right. How do you know who could have	17 another major professor, that you would
18	served as the major professor that you	18 have been able to stay in the program as
19	wanted to serve as so you could be a	19 you say that Dr. Janicki said.
20	parasitologist and who could not serve in	20 A. I was not able to locate another major
21	that capacity?	21 professor.
22	A. I'm not sure who could or could not serve	22 Q. So you don't know if that was a correct
23	as a major professor. At that time --	23 statement from Dr. Janicki or not.

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1 A. I don't know if he was being honest or
2 correct.
3 Q. Right. The only way that you could have
4 found out if that was correct, if you did,
5 in fact, locate another major professor,
6 and that person -- and then at that point,
7 Dr. Janicki said, well, actually, you're
8 not in the Ph.D. program; is that correct?
9 A. What's your question again? About being --
10 Q. The only way to prove whether Dr. Janicki
11 was, quote unquote, telling the truth was
12 to actually be able to locate and identify
13 another major professor.
14 A. And then if I could have done that?
15 Q. You would have found out if he was telling
16 the truth or not.
17 A. That's correct.
18 Q. Okay.
19 A. Which I was unable to locate one.
20 Dr. Dillon had told me that it would
21 have -- I wasn't going to be able to.
22 Q. So you just believed him right there?
23 A. Something was going on.

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1 A. Not the main one that I would go for. I
2 got a letter of recommendation from him to
3 see what he would say.
4 Q. Okay.
5 A. I didn't use that as a letter of
6 recommendation.
7 Q. So you weren't worried about that letter of
8 recommendation being impaired by your
9 search for a new major professor, correct?
10 A. That's correct.
11 Q. Who else wrote you letters of
12 recommendation?
13 A. I got three people to write me letters of
14 recommendation.
15 Q. And who were they?
16 A. Dr. Blagburn, Wolfe, and Janicki.
17 Q. Okay.
18 A. And I wanted to see what they would say
19 about me, see if they were going to be good
20 letters of recommendation.
21 Q. Were they good letters of recommendation?
22 A. Great letters of recommendation.
23 Q. Why do you think they wrote you those great

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1 Q. That's all there was, just based on what
2 Dr. Dillon said?
3 A. I thought --
4 Q. What was --
5 A. I thought if I kept pursuing that that I
6 would jeopardize my good letters of
7 recommendation from Dr. Blagburn. That's
8 why I didn't keep pursuing it. Because
9 that was not what they suggested. They did
10 not suggest I go find a new major
11 professor, Dr. Blagburn didn't, and he was
12 the one that I would get letters of
13 recommendation from, not Dr. Janicki.
14 Q. Dr. Janicki didn't write you a letter of
15 recommendation?
16 A. He did.
17 Q. What?
18 A. He did.
19 Q. He did?
20 A. Yes.
21 Q. So you told me that -- you just told me
22 that you didn't get letters of
23 recommendation from Dr. Janicki.

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1 letters of recommendation? Do you think
2 you were deserving of it?
3 A. Yes.
4 Q. That's why you think they wrote them?
5 A. I'm not sure why they wrote them, but they
6 did.
7 Q. Okay. Why do you think Dr. Wolfe wrote you
8 a letter of recommendation?
9 A. Maybe they were hoping I would get into
10 Alabama law school.
11 Q. Okay. Did you ultimately get into law
12 school?
13 A. No.
14 Q. Why not?
15 A. I'm not sure that I completed all of the
16 application and sent it in.
17 Q. Did they ever send you a letter saying your
18 application is deficient because of this
19 reason?
20 A. Not to my knowledge.
21 Q. Okay. Do you think you might not have got
22 in just because they didn't accept you?
23 A. I don't think that I sent it in. I think I

		Page 273	Page 275
1	needed to have some requirements, which one	1	department. And I'm not sure if she's a
2	of them was to take the LAST again. I	2	full professor or what she is, what her
3	think that I didn't do very well on that	3	title is.
4	test and didn't send in my application	4	Q. So there is a professor in the pathobiology
5	after that test.	5	department that you didn't even go ask if
6	Q. So you never sent in your application?	6	she could -- she would serve as your major
7	A. I think I might have filled out half of it,	7	professor.
8	not fully completed.	8	Is it a she or a he?
9	Q. So the reason why you weren't accepted into	9	A. She.
10	Alabama law school was not because your	10	Q. Is that correct?
11	application was deficient in some manner,	11	A. That's correct.
12	it's because you didn't send it in?	12	Q. So you took two steps. You go to
13	A. That's right.	13	Dr. Dillon on December 8th, 2003. He says,
14	Q. So were you confused when you answered that	14	I can't do it because of these reasons.
15	earlier?	15	You go to Dr. Hendrix. You ask him if
16	A. I think it is deficient. I think I sent	16	he'll serve as your major professor. He
17	some things in. I really am not sure, but	17	says no. That's it?
18	I didn't send all of it in.	18	A. That's correct.
19	Q. Okay. Did you ask Dr. Wolfe for help in	19	Q. Okay. Did you go outside of -- you gave me
20	locating another major professor?	20	a list of people earlier. Anatomy,
21	A. No.	21	histology, physiology. Did I get that
22	Q. Why not?	22	right?
23	A. That wasn't the thought process that I had	23	A. Close enough.
		Page 274	Page 276
1	at that time with Dr. Wolfe, locating a new	1	Q. Okay.
2	major professor.	2	A. I didn't go to anyone there.
3	Q. Your thought process wasn't to take any	3	Q. Okay. You could have, in fact -- If you
4	action that you could to locate another	4	had gotten one of those professors in that
5	major professor?	5	department or one of those professors that
6	A. My thought process was that Dr. Blagburn	6	were housed in that department to be your
7	and Dr. Wolfe wanted me gone.	7	major professor, you could have continued
8	Q. Okay. Did you ask Dr. Janicki for help in	8	in the Ph.D. program, correct?
9	locating another major professor?	9	A. I'm assuming, and I would have become an
10	A. No.	10	anatomist.
11	Q. Did you ask Stephen McFarland for help in	11	Q. Correct. But you would have stayed in the
12	locating another major professor?	12	Ph.D. program, correct?
13	A. No.	13	A. Yes, according to Dr. Janicki.
14	Q. Did you ask anyone else at Auburn for help	14	Q. And you named Dr. Kincaid, Dr. Morris,
15	in locating another major professor?	15	Dr. Sartin; is that correct?
16	A. No.	16	A. Yes.
17	Q. Did you ask a Dr. Dykstra to be your major	17	Q. And how many others in that department or
18	professor?	18	that were housed in that department?
19	A. No.	19	A. Fifteen, 20.
20	Q. Do you know who that is?	20	Q. Fifteen or 20? So 15 or 20 potential
21	A. Yes.	21	people who could serve as your major
22	Q. Who is that?	22	professor that would have allowed you to
23	A. A professor in -- I'm guessing pathobiology	23	stay in the Ph.D. program, and you didn't

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1	ask any of them?		
2	A. They're potentially if you're in the beginning of your project. To take on a Ph.D. student and train them in parasitology with a foundation in parasitology, they're not. You rule them out as potential major professors.		1 Q. Okay. Professors in that?
3			2 A. Yes.
4			3 Q. And who are they?
5			4 A. I'm not sure of their names.
6			5 Q. How many of them are there that are in there?
7			6 A. Three or four.
8	Q. I'm just talking about staying in the Ph.D. program where you would graduate Auburn with a Ph.D. All these professors would have been an option for that, correct?		7 Q. Okay. And you could ask them to serve as your major professor, and if they would have agreed, you could have continued in the Ph.D. program at Auburn?
9			8 A. If that would have been okay for them, if they would have had a spot for me. I'm guessing those are the rules. I'm not sure. There may be different guidelines.
10			9 If you're in clinical sciences, you may need to enroll in a residency program for
11			10 you to be a Ph.D. I think every student in
12	A. In parasitology?		11 clinical sciences has to be in a residency
13	Q. No. In just to receive your Ph.D.		12 program to pursue their Ph.D. There are
14	A. Just to receive a Ph.D?		13 different -- some different rules --
15	Q. Correct.		14 Q. You don't know that, do you, Chris? You
16	A. Yes.		15 think that. You don't know that, do you?
17	Q. Okay.		
18	A. That would not have allowed me to follow my career track of being a professor of parasitology or working for a drug company representing parasiticides.		
19			
20			
21			
22	Q. But it would have allowed you to remain in the Ph.D. program at Auburn University,		
23			
		Page 278	Page 280
1	correct?		
2	A. Yes.		1 A. I don't know that. I think --
3	Q. What about clinical science? Anybody else besides Dr. Dillon?		2 Q. Let's talk about things we know.
4			3 A. That's right.
5	A. No.		4 Q. Radiology. If you would have asked any of
6	Q. Are there any other professors that are housed in that department?		5 those professors in radiology to serve as
7			6 your major professor and they would have
8	A. Yes.		7 agreed, you could have continued in the
9	Q. And who were they?		8 Ph.D. program at Auburn?
10	A. There's a Dr. Montgomery, Dr. Henderson, Dr. McIntyre, a Dr. McDonald.		9 A. If they had an open spot, yes.
11			10 Q. Okay. Again, did you enroll for class for
12	Q. Did you ask any of those?		11 spring of 2004 semester?
13	A. No.		12 A. Yes.
14	Q. No. And if you would have asked and they would have agreed to serve as your major professor, then you could have continued in the Ph.D. program at Auburn?		13 Q. You did enroll for class?
15			14 A. Yes.
16			15 Q. And why would you do that if you thought
17			16 you were dismissed from the Ph.D. program?
18	A. That's what Dr. Dillon -- I mean, Dr. Janicki said.		17 A. I think we talked about this.
19			18 Q. Let's talk about it some more.
20	Q. Okay. Is there another category here, another department, so to speak?		19 A. I had enrolled before December 3rd, 2003.
21	Radiology; is that correct?		20 Q. Do you know that for a fact?
22			21 A. Good percentage, yes.
23	A. I think that's a department.		22 Q. Okay. And you didn't attend any classes in the spring of 2004, did you?

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1	A. That's correct.	1 A. Okay. The whole letter or that paragraph?
2	Q. Okay. Not one class?	2 Q. That paragraph.
3	A. That's right. I was --	3 A. In your letter of July 27th, you made a
4	Q. So you didn't show up the first day and	4 number of complaints. The main complaint
5	find out if your name was on the roll or	5 seemed to be you had been dismissed from
6	not, did you?	6 the program. According to the college of
7	A. No. I didn't attend any classes.	7 veterinary medicine and the graduate
8	Q. Okay.	8 school, you have not been terminated. You
9	A. That would include the first day.	9 are still a student in good standing at
10	(Defendant's Exhibit 8 was marked	10 Auburn University. No actions have been
11	for identification.)	11 taken to terminate your admissions to the
12	Q. Right. I want to show you Defendant's	12 doctor of philosophy program, biomedical
13	Exhibit 8. Can you tell me what that is?	13 sciences. Your major professor has decided
14	A. It's a response from Dr. McFarland	14 to resign from your committee. It is now
15	regarding a letter I wrote him dated July	15 your responsibility to identify another
16	27th, 2004.	16 major professor should you wish to continue
17	Q. What date did you receive this?	17 in this program.
18	A. Sometime after August 17th.	18 It also says that actions taken against
19	Q. Is that what date is listed on there at the	19 me concerning academic dishonesty and no
20	top?	20 charges of academic dishonesty have been
21	A. The date at the top is August 17th. I'm	21 made to the academic honesty committee nor
22	thinking it may have been August 19th.	22 to the appropriate administrators. And if
23	Q. And this letter is addressed to you?	23 they are, they should be filed within 15
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1	A. Correct.	1 days of the incident in any case. There
2	Q. That was your address at the time you	2 are no charges of academic dishonesty
3	received this letter?	3 pending against you.
4	A. Yes.	4 Q. Okay. What do you in your own words
5	Q. Signed by Stephen McFarland, correct?	5 interpret this letter to mean?
6	A. Yes.	6 A. Dr. McFarland is saying that my academic
7	Q. He's acting associate provost for academic	7 grievance policy -- or my academic
8	affairs and dean of the graduate school?	8 grievance should have been filed, if I was
9	A. That's correct.	9 filing one, within 15 days --
10	Q. Okay. Tell me in your own words what this	10 Q. Fourth paragraph. Let's talk about the
11	letter says.	11 fourth paragraph. What do you interpret
12	A. It says if you're filing a student academic	12 that to mean?
13	grievance, resolution should be at the	13 A. He's saying that I'm saying that I asserted
14	lowest level. That would be the faculty	14 actions have been taken against me, and he
15	member, the department head, the academic	15 is saying that no charges of academic
16	dean, and finally the student academic	16 dishonesty or honesty --
17	grievance committee. When you file a	17 Q. That's the fifth paragraph.
18	grievance, it must be filed within the	18 A. I'm sorry.
19	first few days of the semester following	19 Q. Fourth paragraph.
20	that in which the grievance occurred. In	20 A. One, two, three, four. Okay.
21	my letter, my main complaint seemed to be	21 What do I interpret the fourth
22	that I was dismissed from my program.	22 paragraph to say?
23	Q. Just read that verbatim, if you can.	23 Q. Yes.

<p style="text-align: right;">Page 285</p> <p>1 A. That my main complaint was that I was 2 dismissed from my program, and according to 3 the college of veterinary medicine and the 4 graduate school, I have not been terminated 5 and I'm still in good standing at Auburn 6 University and no actions have been taken 7 to terminate my admissions to a doctor of 8 philosophy program.</p> <p>9 Q. You're reading it right now. In your own 10 words --</p> <p>11 A. That's how I'm interpreting exactly what it 12 says.</p> <p>13 Q. Okay. So after this letter, you interpret 14 this to mean that you are still a student 15 in good standing at Auburn University. No 16 actions have been taken against you to 17 terminate your admission to the doctor of 18 philosophy program in biomedical sciences. 19 Your major professor has decided to resign 20 from your committee. It is now your 21 responsibility to identify another major 22 professor should you wish to continue in 23 this program.</p>	<p style="text-align: right;">Page 287</p> <p>1 A. Yes.</p> <p>2 Q. This is a document on Auburn University 3 letterhead, correct? Pretty official. 4 This is the only -- and correct me if I'm 5 wrong, but I believe this is the only 6 written documentation that you've received 7 setting forth what actions were taken 8 against you by Auburn, correct? This is 9 the only thing where it's in writing 10 anywhere that says whether you were, as you 11 say, dismissed from the Ph.D. program, or 12 as this letter says, your major professor 13 resigned from the committee. This is all 14 that there is, correct?</p> <p>15 A. This is what Dr. McFarland is saying, and I 16 have no other letter or anything like 17 that. There was no written or formal 18 dismissal. There was no written dismissal 19 handed to me on December 3rd.</p> <p>20 Q. So you have no documentation that says 21 anything other than this, correct?</p> <p>22 A. That's correct.</p> <p>23 Q. Okay. After this, did you, in fact, think</p>
<p style="text-align: right;">Page 286</p> <p>1 That's what you interpreted that letter 2 to mean?</p> <p>3 A. That's what he's saying.</p> <p>4 Q. And that's what you interpret it to mean? 5 I mean, do you believe what he was saying 6 is correct?</p> <p>7 A. I believe since I didn't -- I believe that 8 their records say that I was in good 9 standing and I had not been terminated.</p> <p>10 Q. Okay. And who wrote this letter?</p> <p>11 A. Dr. McFarland.</p> <p>12 Q. And who is he?</p> <p>13 A. Acting associate provost for academic 14 affairs and dean of the graduate school.</p> <p>15 Q. Dean of the graduate school? On the 16 hierarchy he's pretty high up there, isn't 17 he?</p> <p>18 A. That's right.</p> <p>19 Q. Higher than Dr. Blagburn?</p> <p>20 A. Yes.</p> <p>21 Q. Higher than Dr. Wolfe?</p> <p>22 A. Yes.</p> <p>23 Q. Higher than Dr. Janicki?</p>	<p style="text-align: right;">Page 288</p> <p>1 you were a student in good standing at 2 Auburn University?</p> <p>3 A. After this, yes.</p> <p>4 Q. Okay. And this was before you filed your 5 lawsuit; is that correct?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. And after this, did you believe that 8 no actions had been taken to terminate your 9 admission to the doctor of philosophy 10 program in biomedical sciences?</p> <p>11 A. I don't believe that, that no actions have 12 been taken to terminate my -- it says 13 admissions to doctor of philosophy 14 program. I don't -- it's inaccurate when 15 it says no actions have been taken to 16 terminate your admissions. I had already 17 been admitted into the doctor of philosophy 18 program, so I'm sure there were no actions 19 taken against me to terminate my admissions 20 into the doctor of philosophy program.</p> <p>21 Q. Okay. Well --</p> <p>22 A. And the same way when it says that --</p> <p>23 Q. -- whether the semantics of that --</p>

		Page 289	Page 291
1	A. That's what it says. It's not semantics.	1	A. That's correct.
2	Q. -- the way you're reading that is correct, do you believe that's trying to tell you that no actions have been taken to terminate your standing as a student in the doctor of philosophy program in biomedical sciences?	2	Q. And at this point, you hadn't identified a major professor; is that correct?
3		3	A. That's correct.
4		4	Q. So you don't interpret this document to mean that you were never terminated from the doctor of philosophy program in biomedical sciences?
5		5	A. It doesn't say that I was never terminated from the doctor of philosophy program in biomedical --
6		6	Q. Right, but I'm asking you what you interpret this document to mean.
7		7	A. This is what they're saying, and this is what Dr. McFarland is saying. He is saying that in his mind, my major professor has decided to resign from my committee, and it's my responsibility to find a new major professor.
8	A. I believe that in Dr. McFarland's mind, may be, but --	8	Q. He's the dean of the graduate school, correct?
9		9	A. That's correct.
10	Q. Well, Dr. McFarland was the dean of the graduate school, wasn't he?	10	Q. And in the hierarchy, he's above
11		11	
12	A. That's right.	12	
13	Q. Okay. And this is an official document from Auburn University; is that correct?	13	
14	A. That's correct.	14	
15	Q. So isn't that a pretty good indication that you're still in the doctor of philosophy program in biomedical sciences?	15	
16	A. It doesn't say that.	16	
17	Q. It does not say that?	17	
18	A. Where?	18	
19	Q. You don't interpret this document to mean that you have not been terminated from the	19	
20		20	
21		21	
22		22	
23		23	
		Page 290	Page 292
1	doctor of philosophy program in biomedical sciences? Chris, you are a very smart guy, and you're going to have to agree with me on that, I think.	1	Dr. Blagburn, Dr. Hendrix, Dr. Wolfe, Dr. Janicki, correct?
2		2	A. Right. And he never --
3		3	Q. Wouldn't you think what he says goes?
4		4	A. What he says goes? Possibly. He's the dean. He never made any suggestions in here about what exactly my recourse would be or what I needed to do besides --
5	A. I'm not understanding what your exact question is.	5	Q. Well, your recourse, it seems to me, won't you agree, that he's saying if you identify another major professor, you can continue in the Ph.D. program?
6		6	A. Sounds easy if a major professor will take me.
7	Q. Okay. I'm sorry. Maybe I'm confusing you. You can interpret --	7	Q. Let's talk about that, then. If it sounds easy, what steps did you do to locate another major professor after receiving this letter?
8		8	A. After this letter?
9	A. I interpret this as saying you're still a student in good standing at Auburn University. And it says, no actions have been taken to terminate your admissions to the doctor of philosophy program.	9	Q. After this letter.
10		10	A. I didn't talk to anyone about being a major professor.
11		11	Q. Okay. So you didn't do anything?
12		12	
13		13	
14		14	
15		15	
16		16	
17		17	
18		18	
19		19	
20		20	
21		21	
22		22	
23	Q. You weren't going to class, correct?	23	

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1 A. As far as finding a major professor, no.
 2 Q. That's correct?
 3 A. That's correct.
 4 Q. Did you agree with this part in this
 5 document that says your major professor has
 6 decided to resign from your committee?
 7 A. I don't believe that. I don't believe that
 8 he resigned from my committee. That's not
 9 what he told me.
 10 Q. What did he tell you?
 11 A. He told me that his boss, Dr. Wolfe, told
 12 him to dismiss me; to get rid of me.
 13 Q. Did he say he was resigning as your major
 14 professor, not from your committee?
 15 A. No, he didn't say that.
 16 Q. Okay. Do you believe that he still is your
 17 major professor?
 18 A. No.
 19 Q. Okay. So at some point, he ceased being
 20 your major professor; is that correct?
 21 A. When he asked me to leave.
 22 Q. Okay. Did you send a letter to Ed
 23 Richardson on September 24th, 2004?

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1 Q. Okay.
 2 A. In part.
 3 Q. All right. Look at the second page, second
 4 full paragraph. Can you tell me what
 5 you're saying here?
 6 A. Which one is that, again?
 7 Q. Second page, second full paragraph,
 8 starting with "in Dr. McFarland's letter."
 9 A. And you're asking me to summarize it again
 10 or read straight from it?
 11 Q. Just tell me what you're saying there.
 12 A. I'm trying to say that my main complaint in
 13 Dr. McFarland's mind was that I had been
 14 dismissed from my program, and that I had
 15 not been terminated. And in
 16 Dr. McFarland's letter, my major professor
 17 had decided to resign from my committee,
 18 and that this disagreed with Dr. Blagburn
 19 and what he said on December 3rd and again
 20 on May 28th. Dr. Blagburn said it was not
 21 his decision to dismiss me; that Dr. Wolfe
 22 told him to get rid of me or that Dr. Wolfe
 23 would.

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1 A. That sounds correct.
 2 Q. Do you recall?
 3 A. Yes.
 4 (Defendant's Exhibit 7 was marked
 5 for identification.)
 6 Q. Let's look at that letter. Defendant's
 7 Exhibit 7. This is the letter that you
 8 wrote to Ed Richardson?
 9 A. That's correct.
 10 Q. Okay. When did you write this letter?
 11 A. In September.
 12 Q. Okay. And what was the purpose of this
 13 letter?
 14 A. I was requesting cooperation in resolving
 15 some grievances I had.
 16 Q. Okay. And you had attempted to file a
 17 grievance prior to writing this letter; is
 18 that correct?
 19 A. That's correct. I did try to file a
 20 grievance.
 21 Q. Was this written in response to
 22 Dr. McFarland's letter?
 23 A. Yes.

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1 Q. Now, read where it starts, "it is my
 2 understanding." Read that for me. You see
 3 where I'm saying?
 4 A. It is my understanding that Dr. Wolfe made
 5 the decision to dismiss me from the
 6 department of pathobiology. I tried to
 7 identify another major professor, but was
 8 not successful.
 9 Q. That's good. It is my understanding that
 10 Dr. Wolfe made the decision to dismiss me
 11 from the department of pathobiology. Tell
 12 me what you meant by that.
 13 A. Well, it's my understanding that Dr. Wolfe
 14 had told Dr. Blagburn and made the decision
 15 to dismiss me from the department of
 16 pathobiology.
 17 Q. Okay. Now, we've gone through a lot today,
 18 and I've tried to nail down exactly what
 19 you've been trying to say to me and what
 20 your claims and complaints are here, and
 21 you've told me about 15 times that you said
 22 that Dr. Wolfe and Dr. Blagburn dismissed
 23 me from the Ph.D. program in biomedical

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1	sciences. You said it over and over	1	Again, you're telling the president of
2	again. That's not what that says right	2	Auburn you went out and did these things to
3	there, is it, Chris?	3	locate another major professor. Seems to
4	A. It says, it's my understanding Dr. Wolfe	4	me like you still thought you were in the
5	made the decision to dismiss me from the	5	Ph.D. program, correct?
6	department of pathobiology.	6	A. They told me to try to identify another
7	Q. Okay. That's not the department of -- or	7	major professor, and so that's what I was
8	that's not the Ph.D. program, is it?	8	going to try to do. And I did, so it says,
9	A. Right there, I'm not saying that Dr. Wolfe	9	I tried to identify another major professor
10	dismissed me from the Ph.D. program.	10	but was not successful.
11	Q. Okay. So what you're telling me now is you	11	Q. Then it says, I do wish to continue in my
12	never believed that Dr. Wolfe dismissed you	12	program in biomedical sciences with
13	or attempted to dismiss you from the Ph.D.	13	emphasis in veterinary parasitology and
14	program, correct?	14	feline respiratory disease. What did you
15	A. Yes, I think Dr. Wolfe meant for me to --	15	do after writing this letter to try to
16	he dismissed me from my Ph.D. program.	16	locate another major professor so that you
17	Q. Then why did you write in this letter that	17	could continue in the Ph.D. program?
18	he made a decision to dismiss me from the	18	A. I didn't feel like I was going to be able
19	department of pathobiology? That's	19	to find a new major professor.
20	different from the Ph.D. program, isn't	20	Q. So is the answer that you did nothing after
21	it? We can agree on that, right?	21	this date to locate another major
22	A. Dismissing me from the department of	22	professor?
23	pathobiology and telling me not to come	23	A. That's correct.
		Page 298	Page 300
1	back and finish my Ph.D. and telling me I'm	1	Q. Okay. Did you think that Dr. Richardson
2	not going to have research to my -- not	2	should come down and find you a major
3	have access to my research is what	3	professor?
4	dismissed me, in my mind, from my program.	4	A. It wouldn't have been a bad idea.
5	Q. In your mind. But he never said, you're	5	Q. You think he's obligated? That's something
6	being dismissed from the -- dismissed from	6	you would expect him to do? Is that what
7	the department -- from the Ph.D. program;	7	you wanted him to do as a result of writing
8	is that correct?	8	this letter?
9	A. He never said that exactly.	9	A. His involvement I think could have helped.
10	Q. So, again, you're saying that because of	10	Q. Okay. But you didn't do anything yourself
11	the actions taken by Dr. Blagburn, you were	11	to --
12	constructively or -- it was tantamount to	12	A. Besides writing these letters?
13	your dismissal from the Ph.D. program,	13	Q. -- try to find another major professor,
14	correct?	14	correct, after writing this letter?
15	A. That's correct.	15	A. That's right.
16	Q. But you can't point to a specific time when	16	Q. You wanted Dr. Richardson to do it for you?
17	that was actually said to you, Chris,	17	A. I needed assistance.
18	you're dismissed from the Ph.D. program.	18	Q. Okay.
19	That doesn't square up to what you said	19	A. I think that they were saying one thing and
20	right here in this letter, correct?	20	doing another, and if somebody got
21	A. Right, from Dr. Wolfe. That's right.	21	involved, they would have to say one thing
22	Q. Then it says you tried to identify another	22	and then do it.
23	major professor but was not successful.	23	Q. Did you go to Dr. Dykstra and ask him to

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1 serve as your major professor --
 2 A. She.
 3 Q. -- or her, ask her after writing this
 4 letter?
 5 A. No. I didn't talk to Dr. Dykstra.
 6 Q. Did you go to Dr. Dykstra after writing the
 7 letter or after seeing the letter from
 8 Dr. McFarland written on August 17th,
 9 2004? Did you go to Dr. Dykstra at that
 10 point and ask her if she would serve as
 11 your major professor?
 12 A. I didn't even know Dr. Dykstra was still
 13 there.
 14 Q. Okay. Did you ask anybody? Who did you --
 15 tell me who you asked about possibilities
 16 of people serving as a major professor.
 17 Did you ever go to anybody and say, look,
 18 can you give me a list of people?
 19 A. No list was given to me, and --
 20 Q. Was there a list available that lists out
 21 all the people who are professors in the
 22 department of -- or any department within
 23 the Ph.D. program? Is there a list

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1 somewhere?
 2 A. There may be.
 3 Q. There may be?
 4 A. I haven't seen it.
 5 Q. Did you go look for that list?
 6 A. No.
 7 Q. Did you think that there would be a list?
 8 Why didn't you go look for that list?
 9 A. I didn't know where to look for that list.
 10 Q. Would that have been a good idea, do you
 11 think? Would that have maybe helped you
 12 out in locating someone who could have
 13 served as a new major professor?
 14 A. I don't think it would have helped to find
 15 a list of major professors.
 16 Q. It would have -- would it have helped to
 17 find the list of all the people, all the
 18 professors that are within the graduate
 19 school, the Ph.D. program, that could have
 20 served as major professors? That wouldn't
 21 have helped?
 22 A. I don't think that would have helped
 23 because --

1 Q. Well, would Dr. Dykstra have been on that
 2 list?
 3 A. I don't think that would have helped.
 4 Q. Would Dr. Dykstra have been on that list?
 5 A. Possibly.
 6 Q. Would it have been helpful to know of her
 7 name so that you could maybe go to her and
 8 ask her to be your major professor?
 9 A. You're saying if there was a list, it would
 10 have been helpful in picking Dr. Dykstra as
 11 a major professor?
 12 Q. Correct.
 13 A. If it was a list and it had Dr. Dykstra's
 14 name on there and all I had to do was find
 15 another major professor, and Dr. Dykstra
 16 was willing to do that and had available
 17 resources and time, then I guess that would
 18 have been -- I don't --
 19 Q. Right. Would have been helpful?
 20 A. That's hypothetical, yeah.
 21 Q. But you didn't go look for any list of
 22 people who -- professors that could have
 23 served in that role?

1 A. To my knowledge, I went to people who was
 2 interested or who were interested in topics
 3 like parasitology and feline heart worm
 4 disease. And the people like Dr. Dykstra
 5 and the other ones that you talk about,
 6 they would not have been interested in that
 7 because I know what they study. I had been
 8 there for over six years, and --
 9 Q. How do you know that she wouldn't have been
 10 interested in that? Did you ask her?
 11 A. No. I already told you I didn't --
 12 Q. You didn't ask her, did you, Chris?
 13 A. No.
 14 Q. So you don't know if she would have been
 15 interested in that or not. You're
 16 speculating that she would not have,
 17 correct?
 18 A. That's correct. I didn't even know she was
 19 a professor still or there.
 20 MR. KNIGHT: Kay, I know you said
 21 you wanted to get out of here
 22 at 4:30.
 23 MS. DICKEY: That sounds like a

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1	good idea. Are you at a place	1 Case Number CV-459-VPM
2	where you can stop?	2 on April 17, 2006.
3	MR. KNIGHT: I'm at a pretty good	3 The foregoing 306 computer printed pages
4	stopping point. We'll	4 contain a true and correct transcript of the
5	reconvene and finish out at	5 examination of said witness by counsel for the
6	some point maybe when you	6 parties set out herein. The reading and signing of
7	deposed somebody.	7 same is hereby waived.
8	MS. DICKEY: Okay. I'm going to	8 I further certify that I am neither of kin
9	depouse somebody.	9 nor of counsel to the parties to said cause nor in
10	(The deposition was recessed at	10 any manner interested in the results thereof.
11	4:20 p.m.)	11 This 27th day of April 2006.
12	*****	12
13	DEPOSITION RECESSED	13
14	*****	14
15		15 Patricia G. Starkie, Registered
16		16 Diplomate Reporter, CRR, and
17		17 Commissioner for the State
18		18 of Alabama at Large
19		19
20		20
21		21
22		22
23		23
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1	REPORTER'S CERTIFICATE	
2	STATE OF ALABAMA:	
3	MONTGOMERY COUNTY:	
4	I, Patricia G. Starkie, Registered	
5	Diplomate Reporter, CRR, and Commissioner for the	
6	State of Alabama at Large, do hereby certify that I	
7	reported the deposition of:	
8	CHRISTOPHER B. EILAND	
9	who was first duly sworn by me to speak the truth,	
10	the whole truth and nothing but the truth, in the	
11	matter of:	
12	CHRISTOPHER B. EILAND,	
13	DVM, MS,	
14	Plaintiffs,	
15	Vs.	
16	DR. BYRON L. BLAGBURN,	
17	Individually and in his	
18	official capacity, etc.,	
19	Et al.,	
20	Defendants.	
21	In The U.S. District Court	
22	For the Middle District of Alabama	
23	Eastern Division	

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